

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

-v-

DANIEL RIVERA,

Defendant.


23 CR. 236 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

A suppression hearing in this case is scheduled for Thursday, September 28, 2023, beginning at 9:30 a.m. The Court has reviewed counsels' pre-hearing memoranda, *see* Dkt. 38, 39, and thanks counsel for these thoughtful submissions. The Court's assessment is that an evidentiary hearing is necessary to enable the Court reliably to resolve the issues presented by the suppression motion. The Court is particularly interested in receiving evidence bearing on the impoundment and ensuing search of the defendant's car and on the Government's alternative argument based on the automobile exception. The Court expects that the persons identified in the Government's memorandum as Agent-1 and Detective-1 will testify on September 28. In the event that either side anticipates calling other witness(es), these persons must also be available to testify on September 28.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: September 14, 2023
New York, New York